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Attorneys for Plaintiff  
United States of America

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
IVAN SIGMOND,  
  
Defendant.

CASE NO. 1:20-CR-00160-ADA-BAM

STIPULATION TO CONTINUE STATUS  
CONFERENCE AND EXCLUDE TIME PERIODS  
UNDER THE SPEEDY TRIAL ACT; ORDER

DATE: November 8, 2023  
TIME: 1:00 p.m.  
COURT: Hon. Barbara A. McAuliffe

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for a status conference on November 8, 2023.
2. The parties hereby request that the Court continue status conference to January 10, 2024, at 1 p.m. and exclude time between November 8, 2023, and January 10, 2024, under 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4].
3. The parties agree and stipulate, and request that the Court find the following:
  - a) The parties continue to conduct investigation and engage in plea discussions and believe that a continuance is necessary to effectuate a potential resolution. In particular, counsel for the defendant would like to explore his sentencing options and arguments in more detail before committing to a change of plea.
  - b) Counsel for defendant believes that failure to grant the above-requested

continuanace would deny him the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

c) The government does not object to the continuance.

d) Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act.

e) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of November 8, 2023, to January 10, 2024, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because it results from a continuance granted by the Court at defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: October 23, 2023

PHILLIP A. TALBERT  
United States Attorney

/s/ KAREN A. ESCOBAR  
KAREN A. ESCOBAR  
Assistant United States Attorney

Dated: October 23, 2023

/s/ DAVID BALAKIAN  
DAVID BALAKIAN Counsel  
for Defendant IVAN SIGMOND

**ORDER**

The Stipulation for a continuance is DENIED. Accordingly, the November 8, 2023 at 1:00 p.m. status conference will remain on calendar. Counsel are directed to meet and confer and select a mutually convenient date for trial to be discussed at the next hearing date. Alternatively, the parties may stipulate to the trial date, with an appropriate exclusion of time.

IT IS SO ORDERED.

Dated: October 24, 2023

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE